

OFFICE OF THE STANDING CHAPTER 13 TRUSTEE
6851 N.E. LOOP 820, SUITE 300
NORTH RICHLAND HILLS, TEXAS 76180-6608
(817) 770-8500

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE:

MARK ANTHONY DOWNS
WANDA JEAN DOWNS

DEBTOR(S),

§
§
§
§
§
§

CASE NUMBER: 04-45661-RFN

CHAPTER 13

JUDGE RUSSELL F NELMS

MOTION TO DISMISS WITH CERTIFICATION OF SERVICE AND NOTICE OF HEARING THEREON
(§)

Now comes Tim Truman, Standing Chapter 13 Trustee and files this motion pursuant to Section 1307(c) of the Bankruptcy Code and Bankruptcy Rule 9014, and would respectfully show unto the Court as follows: This case should be **DISMISSED** for the following cause:

As of the above date, the Trustee's records indicate that Debtor(s) have paid \$10,075.00. The Debtor(s) are in default in the amount of \$2,055.00 through July 27, 2007 (the "Pre-Hearing Date").

WHEREFORE, your Trustee prays that after notice and hearing, this Chapter 13 case be **DISMISSED**.

/s/ Tim Truman

Tim Truman, Trustee/State Bar #20258000

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Trustee's "Motion to Dismiss with Certificate of Service and Notice of Hearing Thereon" have been served on the parties listed below by United States First Class Mail on the date (**) shown below.

/s/ Tim Truman

Tim Truman, Trustee/State Bar #20258000

NOTICE OF HEARING TO THE DEBTOR(S) AND DEBTOR'S(S') ATTORNEY OF RECORD:

You are hereby notified of the filing of the foregoing Trustee's Motion. **A pre-hearing conference on the Trustee's Motion will be held on July 27, 2007 at 8:30 a.m. by the Trustee at 6851 N.E. Loop 820, Suite 220, N.Richland Hills, Texas.** Any objection or response to the proposed MOTION not resolved or defaulted at the pre-hearing conference will be heard by the Court at **9:00 am, on Wednesday, August 1, 2007**, 128 U.S. Courthouse, 10th and Lamar St., Fort Worth, Texas. **YOU DO NOT HAVE TO ATTEND THE TRUSTEE'S PRE-HEARING CONFERENCE OR THE COURT HEARING UNLESS YOU OPPOSE DISMISSAL OF THE CASE. ALL PAYMENTS DUE PRIOR TO THE HEARING MUST BE PAID CURRENT BY THE PRE-HEARING CONFERENCE IN ORDER FOR THE TRUSTEE TO WITHDRAW THIS MOTION TO DISMISS.**

** Dated: June 25, 2007

Debtor(s):

Debtor's(s') Counsel:

Mark Anthony Downs & Wanda Jean Downs
409 Victory Ln
Mansfield, TX 76063

David S Kohm
1414 W Randol Mill Rd Ste 118
Arlington, TX 76012